

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MARICULTURA DEL NORTE, S. DE R.L.)	
DE C.V., <i>et al.</i>)	
)	
)	
Plaintiffs,)	
)	
v.)	Case No. 1:14-cv-10143(CM)
)	
WORLDBUSINESS CAPITAL, INC., <i>et al.</i>)	
)	
)	
Defendants.)	
)	

DECLARATION OF RODRIGO ZAMORA

I, Rodrigo Zamora declare as follows:

1. I have been asked by counsel for Defendant Umami Sustainable Seafood, Inc (“Umami”) to opine on the issues included in this Declaration.
2. I am an attorney who practices Mexican law at the law firm of Galicia Abogados, S.C., located in Mexico City, Mexico.
3. A complete list of my qualifications can be found in Annex A to the initial Declaration of Rodrigo Zamora (the “First Declaration”), dated March 25, 2015, filed in this case in connection with the briefing on the Defendants’ motions to dismiss. (Dkt. No. 62, DX-346).
4. The opinions contained herein are based upon my understanding of Mexican law and procedure gained through my nearly 20 years of experience as a practitioner of Mexican law, and my review of Mexican case law and treatises on Mexican law. I have previously submitted declarations, as an expert in Mexican law, in this case.
5. I am fully familiar with the history of litigation in this case.

Umami’s Enforcement Proceedings in Mexico

6. As indicated in my prior Declarations filed in connection with this case (DX-346, 347, 348, 349), from approximately 2013 to the present, Umami has sought to

enforce the Mexican court's judgments against Maricultura del Norte, S. de R.L. de C.V.'s ("Marnor") and collect on the debts due and owing to Umami, as decided by the Mexican courts. (*See, e.g.*, DX-346 and DX-349 (outlining the enforcement proceedings)).

7. The Mexican courts have awarded approximately \$7.5 million to Umami for principal and interest, as follows:
 - a. \$5,282,103.89 in principal pursuant to the Mexican court's January 28, 2013 Judgment (DX-183); and
 - b. \$2,280,895.20 in interest pursuant to the Mexican court's September 29, 2016 Judgment (DX-372). The September 29, 2016 Judgment awarded Umami \$855,651.60 in ordinary interest and \$1,425,243.60 in default interests. (*Id.*)
8. Umami has sought to enforce the above-referenced judgments in various enforcement proceedings in Mexico. In connection therewith, the Mexican courts have ordered the assignment of certain of Marnor's vessels to Umami in partial satisfaction of Marnor's debt to Umami, as follows:
 - a. On March 17, 2015, the Mexican court assigned eighteen of Marnor's vessels to Umami valued at \$3,422,244. (DX-224; *see also* DX-346 ¶ 57). Following the March 17, 2015 allocation (at which time the interest had not yet been liquidated), the outstanding principal balance was \$1,859,859.89.
 - b. After the September 29, 2016 Judgment (*supra* ¶ 7(b)), the outstanding debt totaled \$4,140,755.09, which was comprised of \$1,859,859.89 for outstanding principal and \$2,280,895.20 for interest.
 - c. On November 16, 2016, the Mexican Trial Court ordered the assignment of an additional vessel of Marnor's (Buenaventura I) in partial satisfaction of the outstanding debt to Umami. The Buenaventura I was valued at \$3,053,000.
9. In total, in these enforcement proceedings, the Mexican courts have ordered the assignment of Marnor's property valuing \$6,475,244.00 in partial satisfaction of the debt owed to Umami.
10. Following the assignments, the outstanding amount based on the above-referenced

judgments owed by Marnor to Umami was \$1,087,755.09.

The Mexican Proceedings Concerning Interest Conclude

11. Throughout the Enforcement Proceedings outlined above and through the time of the trial in this case, the parties continued to litigate in Mexico, among other things, the September 29, 2016 Judgment for interest.

April 5, 2018 Final Judgment on Interests

12. After various appeals and *amparo* proceedings, the September 29, 2016 Judgment was affirmed through a judgment dated April 5, 2018 issued by the Fourth Federal Unitary Court of the Fifteenth Circuit (“the April 2018 Judgment”). As confirmed by the June 4, 2019 Order mentioned below, the April 2018 Judgment is a final, non-appealable and enforceable judgment in favor of Umami against Marnor for \$855,651.60 in ordinary interest and \$1,425,243.60 in default interests.
13. A copy of the April 2018 Judgment and a certified English translation are attached hereto as Exhibit A.

July 20, 2018 Order

14. On July 20, 2018, the Seventh District Court of Ensenada Baja California (“the District Court”) issued an order, summarizing the prior judgments in the case in favor of Umami in the amount of \$1,087,755.09.
15. A copy of the July 20, 2018 Order and a certified English translation are attached hereto as Exhibit B.

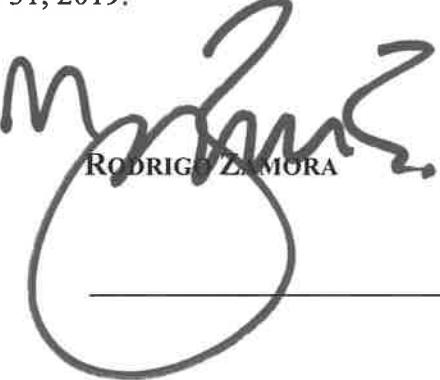
June 4, 2019 Order

16. On June 4, 2019, the District Court issued an Order affirming that the April 2018 Judgment was a final, non-appealable and enforceable judgment in favor of Umami against Marnor for \$855,651.60 in ordinary interest and \$1,425,243.60 in default interests.
17. A copy of the June 4, 2019 Order and a certified English translation are attached hereto as Exhibit C.

18. As a result, after taking into account the assignment of vessels discussed above, the outstanding amount of the September 29, 2016 Judgment, which was affirmed by the April 5, 2018 Judgment, is \$1,087,755.09.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signed in Mexico City on July 31, 2019.



RODRIGO ZAMORA
